

REMARKS/ARGUMENTS

Claims 1-34 are currently pending. Claims 1, 7, 12-14, 21, 22, 24, 28, 29, 32 and 34 have been amended. The following claims have been canceled: claims 8, 9, and 11 have been canceled and the features recited in claims 8, 9 and 11 have been amended into claim 7, claims 16, 17, and 20 have been canceled and the limitations recited in claims 16, 17, and 20 have been amended into claim 14, and claims 26, 27, and 30 have been canceled and the limitations of claim 26, 27, and 30 have been amended into claim 24. Applicants submit that no new matter has been inserted in the application due to the amendments. Claims 1-8, 10, 12-15, 18, 19, 21-25, 28, 29, and 31-34 will remain pending in this application after entry of this amendment.

Claim 34 was rejected under 35 U.S.C. §101 for being directed toward non-statutory subject matter. Claims 1-12, 14-22, 24-32, and 34 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,112,237 to Donaldson et al (hereinafter "Donaldson"). Claims 13, 23, and 33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Donaldson in view of U.S. Patent No. 6,272,537 to Kekic et al (hereinafter "Kekic").

Rejections under 35 U.S.C. §101

Claim 34 was rejected under 35 U.S.C §101 for being directed toward nonstatutory subject matter for failing to provide a useful, concrete, and tangible result. The Office Action asserts that claim 34 merely "represents an abstract idea where the system is configured to execute and display the operations management information but nothing in the claim reflects if the application actually executes and the information is actually presented to the user. Applicants have amended claim 34 and submit that amended claim 34 provides a useful, concrete, and tangible result.

Applicants submit that the amended claim language reflects that the management system executes and that the information produced as a result of this execution is actually presented to the user. Applicants submit that the management system recited in claim 34 actively monitors a plurality of management targets, accumulates operations management information on the management targets, receives user instructions, processes management information according to user instructions, and displays the operations management information so that a user may monitor the status of the various management targets. Therefore, the

management information system recited in claim 34 executes and produces a useful, concrete, and tangible result.

Accordingly, Applicants request that the rejection of claim 34 be withdrawn.

Rejections under 35 U.S.C. §102

Claims 1-12, 14-22, 24-32, and 34 were rejected under 35 U.S.C. §102(b) as being anticipated by Donaldson.

Applicants have amended independent claims 1, 7, 14, 24, and 34, and Applicants submit that the amended claims are not anticipated by Donaldson. For example, claim 1 recites in part:

an editing execution unit configured to move the editing processing items to a different storage module from a storage module storing the management items when an editing processing class with respect to the management items identified as editing processing items has temporarily stopped in response to a temporary stop instruction being issued for a management target associated with the editing processing class, and to move the editing processing items from the different storage module to the storage module storing the management items prior to the temporary stopping when the temporary stopping is cancelled in response to the temporary stopping instruction for the management target being cancelled. (Emphasis added.)

The editing execution module recited in claim 1 moves editing processing items to another storage module when a temporary stop has been issued for the management target associated with the editing processing items, and when the temporary stop is canceled, the editing execution module moves the editing processing items back to their original storage location.

The Office Action relies upon col. 7, lines 15-40 of Donaldson to teach the features of claim 1 described above. However, Applicants submit that the cited portion of Donaldson merely discloses a user maintaining a plurality of scripts used for monitoring the status of various computer systems. For example, a user might select an existing script to be edited or might create a new script. Applicants submit that this is significantly different than the editing execution unit recited in claim 1 that moves management items designated as editing processing items from a first storage location in a first storage module to a second storage location in a second storage module in response to a management target being temporarily stopped, and moves the editing processing items back to the first storage location when the temporary stop is canceled. This feature of claim 1 may, for example, prevent a user from

accessing and/or modifying management items (such as files or scripts) associated with a management target while the management target has been temporarily stopped. Donaldson is silent as to moving the scripts to a new storage location if a computer system associated with the scripts is temporarily stopped and then moving the scripts back to their original location if the temporary stop is canceled. Accordingly, Applicants submit that Donaldson fails to teach each of the features recited in claim 1.

Applicants further submit that independent claims 7, 14, 24, and 34 are also allowable for at least a similar rationale as claim 1. Furthermore, claims 2-6, 8-12, 15-22, and 25-32 are also allowable at least due to their dependence from independent claim 1, 7, 14, and 24 respectively.

Rejections under 35 U.S.C. §103

Claims 13, 23, and 33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Donaldson in view of Kekic.

Claims 13, 23, and 33 depend from claims 7, 14 and 24 respectively, and the rejection of claims 13, 23, and 33 is premised on the assertion that Donaldson discloses the features recited in claims 13, 23, and 33 and Kekic discloses or suggests the remaining features of claims 13, 23, and 33. As discussed above, however, Donaldson does not disclose or suggest all of the features recited in claims 13, 23, and 33. As best understood, Kekic provides no teaching or suggestion that would remedy this deficiency. Therefore, the rejection is based on a flawed premise and cannot be maintained. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 13, 23, and 33.


CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

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